

CONSENT TO TRANSFER PROCESS

A Step-by-Step Guide to a swift and easy transfer of property process



ATLANTIC BEACH

Consent to Transfer Procedure- Step by Step:

As Atlantic Beach values that the transfer of a property has elements within the sale to transfer process that are time conscious for both agents and transferring attorneys as well as the owner at hand, Atlantic Beach have compiled a document to outline our Consent to Transfer process more effectively and will in future assist in ensuring every property owner is assisted within most effective timeframe possible.

The Purpose of a Consent to Transfer Inspection

ABHOA requires that a consent to transfer inspection be carried out from ground view, in order to determine if the condition of the property complies with the provisions of the Estate Architectural Design Manual and the rules of the Estate. Following the conducting of a consent to transfer inspection, a report will be generated and provided to the owner and agent or transferring attorney. This inspection report will advise on any repairs/maintenance or any other relevant issue or undertakings required relating to the Design Manual and rules, which need to be addressed before Consent to Transfer can be issued by ABHOA. Once any items identified have been addressed, it may be necessary to contact the ABHOA administration team to arrange for a reinspection of the property.

The Consent to Transfer process is co-ordinated by the ABHOA Estate Liaison Officer who also acts as the point of contact with the seller, agent and or the transferring attorney throughout the process. The inspection and report is undertaken by the firm Bettsworth Scott on behalf of the Architectural Review Committee of ABHOA. Our Estate Landscape Manager also forms part of the Consent to Transfer inspection team, with her area of focus being to identify the existence of alien vegetation (non-compliant with the Estate's approved plant list), or any other landscaping considerations that may need to be addressed.

In addition to this, it is important to note that ABHOA has an obligation to the City of Cape Town to assist the City in terms of addressing any **Encroachments onto City Land** which have been identified and disclosed.

The purpose of the Consent to transfer inspection is **not** intended to form part of or to be relied upon as part of any negotiations or requirements in terms of an agreement of sale between the seller and purchaser. For example, the purchaser may not take issue with the ABHOA for issuing a consent to transfer without requiring the house to be repainted. If the purchaser is of the opinion that the house should be repainted before it is purchased, then the purchaser must reach agreement on this matter privately with the seller.

How detailed are the Consent to Transfer Inspections?

The Architectural Review Committee takes great care with each inspection. As such the inspection will require access to both the outdoor and indoor areas of the inspected property, at a pre-arranged time in order to establish if the property's buildings, improvements and aesthetics contribute to the Estate's overall appearance and upkeep, as well as comply with the Estate rules and Architectural Design Manual.

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What items are Inspected:

Our inspection team will consider the following items when performing a consent to transfer

inspection- our inspections are performed at ground level;

- That all existing building work and structures are reflected on the building plans approved by ABHOA;
- That any other elements (eg. Jojo tanks, solar panels, boundary fences and screens, artificial grass and air conditioning units) that are also regulated in terms of the Architectural Design Manual, comply with the provisions of the Manual;
- That all plants on the property comply with the approved Estate plant list/the Landscape Manager's requirements;
- The roof and its paintwork is in an acceptable condition to the Estate as viewed from ground level; Note that we do not conduct an inspection from on top of the roof.
- All external walling paintwork and other aspects of the external house facade, such as fascias, balustrades, woodwork and pergolas are all in an acceptable condition;
- All boundary walls, fences and screens are in acceptable condition;
- The existence of any second dwellings or any internal layout configuration that could lend itself to use as a second dwelling (rented out to another family) must be addressed.

It is also important to understand that the following aspects **do not** form part of the Consent to Transfer inspection process:

- Assessment for compliance with the National Building Regulations or with any other applicable laws or any type of other standard inspection prior to transfer, for example electrical, water and beetle compliance, structural integrity assessments, Council zoning laws, inspection of plumbing infrastructure etc;

How Long Will the Consent to Transfer Process Take to Finalise

It is important for the seller, the purchaser, as well as the Estate agents and Transferring attorneys to appreciate that the Consent to Transfer process will most likely take several weeks to be completed which is why we advise agents and transferring attorneys to suggest an early inspection.

The initial Consent to Transfer inspection may be up to two (2) weeks from the date of request, depending on the availability of the review committee, bearing in mind that access to the property and house also has to be granted on the agreed date. Once the inspection has been completed, the Consent to Transfer report may also take up to two (2) weeks for intricate property inspections to be finalized.

Should there be items for the attention of the owner, these would be listed within the report and it would be the responsibility of the seller to attend to these. It would also be the responsibility of the seller to advise the Estate Liaison Officer once the listed items have been addressed so that a re-inspection can be arranged.

Once the re-inspection has been concluded and all outstanding items have been addressed, ABHOA will advise Pam Golding Property Management Services (PGPMS) that Consent to Transfer has been issued.

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PGPMS will then issue the consent certificate and levy clearance to the transferring attorney in order to enable them to lodge the transfer at the Deeds Office.

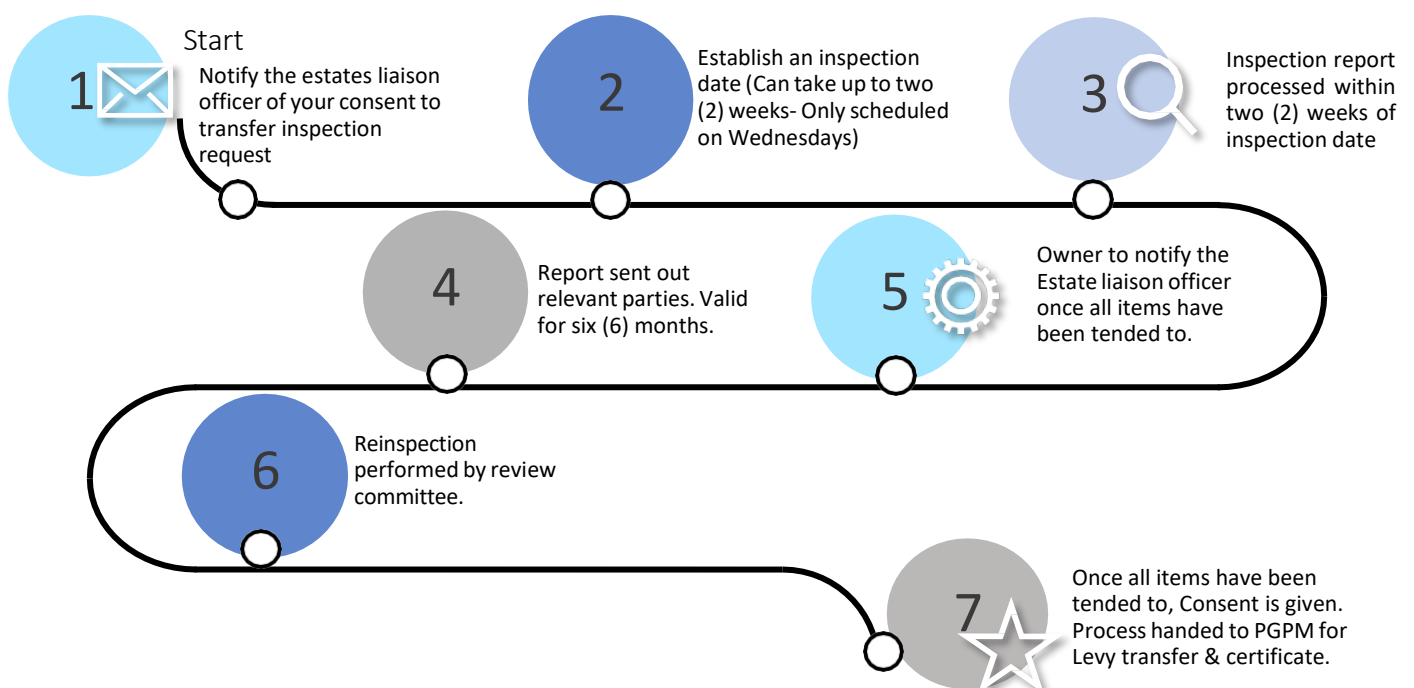
Why We Suggest an Early Inspection:

Dependent on the inspection findings and the amount of time required to remedy the points as set out in inspection report, the time taken to complete the Consent to Transfer process may vary. For example, it may only take a few days to repaint an outside light, whereas on the other hand if building work that deviates from an approved ABHOA plan has taken place, the need for a rider plan submission and ABHOA approval process to rectify this could delay Consent to Transfer process.

Taking the above into account, ABHOA would like to encourage home owners or their agents and/ or transferring attorney to request a Consent to Transfer inspection as soon as possible after they have decided that they wish to sell their property/place it on the market, rather than wait for the inspection process to be initiated by their transferring attorney as part of the lodgment process.

This will give the homeowners a longer time frame (with less pressure on all parties) to address any pre-consent to transfer requirements from ABHOA. All inspection reports are valid for a period of three months with a reinspection at the request of the transferring attorney, prior to lodgment will be done at no extra cost.

Consent to Transfer Process Flow:



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Cost of the Consent to Transfer Inspection:

This inspection costs R2535 plus VAT, which is levied to the owners account and includes the cost of the re- inspection.

This inspection fee will be waived in the instance of using our preferred Property partner, Pam Golding Properties.

Who can I contact to get the process going:



For your Consent to Transfers:

Mariska Nortje

Estate & Member Liaison Officer

021 553 0590

info@abhoa.co.za



For your Maintenance Requirements:

Gary Lewis

Estate Manager

079 328 5313

estate.manager@abhoa.co.za



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Director



BETTESWORTH SCOTT

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